



MINUTES OF THE BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Sachi A. Hamai, Executive Officer-  
Clerk of the Board of Supervisors  
383 Kenneth Hahn Hall of Administration  
Los Angeles, California 90012

At its meeting held July 8, 2008, the Board took the following action:

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Supervisor Knabe made the following statement:

"On June 2, 2008, the Los Angeles County Superior Court entered a judgment granting a peremptory writ of mandate against the County requiring the Board to set aside its approvals of various land use entitlements and certification of the Final Environmental Impact Report ("EIR") for the development known as The Shores, Project No. R2005-00234-(4), which is located in Marina del Rey. The writ was issued on June 4, 2008. The Court ruled that the EIR did not comply with one of the California Environmental Quality Act ("CEQA") procedures. Specifically, the Court ruled that the EIR should have been re-circulated for public review and comment because of a change made in the Final EIR regarding grading and excavation, after receipt of, and responses to, public comments on the Draft EIR. Due to a change in the area of site alteration, rather than balancing all grading on-site, approximately 25,940 cubic yards of soil would need to be exported from the site. The Court ruled that this constituted "significant new information" that required re-circulation of the EIR to allow further public review and comment. The Court rejected other challenges to the EIR, including substantive challenges. The Court remanded the matter to the County for such further action as the County deems proper and consistent with the Court's decision."

David O. Levine and Daniel H. Gottlieb addressed the Board. Correspondence was presented.

After discussion, on motion of Supervisor Knabe, seconded by Supervisor Molina, unanimously carried, the Board took the following actions:

1. Set aside the May 15, 2007 approvals of the following related to The Shores Project, located in Marina del Rey (4):
  - Approval of Project No. T2005-00234, including Coastal Development Permit No. 200500002-(4), Parking Permit No. 200500004-(4) and Variance No. 200500004-(4);

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- Adoption of the Statement of Overriding Considerations, Environmental Findings of Fact, Mitigation Monitoring Program and the conditions of approval for the project; and
  - Certification of the EIR for the project;
2. Directed the Director of Planning to comply with the Court's order and CEQA by:
- Preparing an additional analysis of the reasonably foreseeable environmental impacts associated with the export of approximately 25,940 cubic yards of soil from the construction of The Shores project;
  - Circulating the additional analysis for public review and comment for a 45-day period;
  - Preparing responses to all public comments received; and
  - Duly noticing a public hearing with the Board to consider the following actions: certification of the additional CEQA analysis; adoption of any CEQA findings necessary to re-certify the EIR with the additional analysis; re-certification of the EIR; and re-approval of The Shores Project No. T2005-00234-(4), including but not limited to Coastal Development Permit No. T200500002-(4); Parking Permit No. 200500004-(4) and Variance No. T200500004-(4).
3. Directed the staff of Regional Planning to review, consider and act on valid suggestions contained in the correspondence received as they proceed with compliance with the Court's order and CEQA.

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Copies distributed:

Each Supervisor  
County Counsel  
Director of Planning  
Acting Director of Public Works  
David O. Levine  
Daniel H. Gottlieb